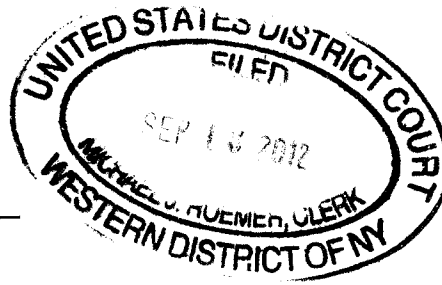


UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK



-PS-O-

LARRY J. COLLINS,

Plaintiff,

-v-

PETER GRUEN, RN. et al.,

Defendants.

DECISION and ORDER
12-CV-6022P

By Order, filed April 16, 2012 (Hon. David G. Larimer), the Court granted plaintiff permission to proceed *in forma pauperis* and requested the Erie County Attorney's Office to ascertain the full names of the John and Jane Doe defendants plaintiff sought to sue herein, who were identified in the complaint as the medical staff at the Erie County Holding on November 18, 2011, 3:00 to 11:00pm shift. (Docket No. 8.) The Erie County Attorney's Office thereafter provided the names and addresses of twelve nurses who had worked that shift and they were added as defendants to the caption of this action and the summons and amended complaint were served upon them. All the individuals identified and added to the caption as defendants, except one (Michelle Porecca), have appeared in this action by the filing of answers on their behalf by the Erie County Attorney's Office. (Docket Nos. 20, 21 and 23.)

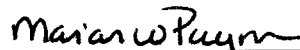
By letter dated July 31, 2012, the Erie County Attorneys' Office advised the Court's Pro Se Office that they had discovered the names of two Nurse Practitioners, Melanie Comstock and Brandon Coburn, who had worked part of the 3:00 to 11:00pm shift on November 18, 2011, and

the name of a physician, Edwin Heidelberg, M.D., who may have worked or who might have been on call for all or part of that shift.

Accordingly, the Clerk of the Court is directed to amend the caption of this action to include as defendants the following individuals: Melanie Comstock, Nurse Practitioner, Brandon Coburn, Nurse Practitioner, and Edwin Heidelberg, M.D., and to cause the United States Marshals Service to serve the summons and amended complaint (Docket No. 6) upon Melanie Comstock, Nurse Practitioner, Brandon Coburn, Nurse Practitioner, and Edwin Heidelberg, M.D., at the addresses provided in the letter dated July 31, 2012. **Those addresses shall not be disclosed publically in any way.** The Clerk of the Court shall prepare the necessary summonses and U.S. Marshals Service Process Receipt and Return Forms (USM-285) for service upon these defendants. The addresses of the defendants shall not be noted on the summonses and Marshal Forms.

SO ORDERED.

DATED: Rochester, New York
September 12, 2012



MARIAN W. PAYSON
United States Magistrate Judge